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TAGS: [ETRD](#) [EINV](#) [KIPR](#) [IT](#)

SUBJECT: ITALY IPR: CHANGING PUBLIC PERCEPTION OF IPR AND ENGAGING  
MAYORS IN COMBATING PIRACY

Refs: A) ROME 1858, B) ROME 05 4046

[1](#)1. This is an action request. Please see para 7 below.

[1](#)2. Mission Italy has been engaging Italians on the need for good IPR protection for over a decade. We have in particular, and with some success, advocated for tough criminal penalties against pirates and effective enforcement. As a direct consequence of our efforts, since 2000, Italy has enacted a series of IPR criminal bills among the toughest in Europe. However, notwithstanding the laws on the books, enforcement and sentencing are still inadequate; and judges remain the weak link, as many still view piracy/counterfeiting as petty offences. Since 2003, following the signature of a bilateral declaration, we have conducted an aggressive sensitization campaign with magistrates and law enforcement agencies, including co-hosting with the copyright industry an annual sought-after "IPR Judicial Workshop," which is starting to pay good dividends (ref A).

[1](#)3. Sensitizing law enforcement agencies and the magistracy remains a priority, but this program alone is not sufficient. Embassy, industry associations, and Italian authorities, all believe that educating the Italian public to the culture of IPR legality is equally important, since most Italians do not perceive piracy as a serious offence (ref B). As one magistrate put it, "If the people do not perceive it as a crime, then it is very hard for us to prosecute piracy, even if the laws are on the books."

[1](#)4. Mission Italy has been considering a series of public education outreach including: further discussions with the GOI, public events involving the Ambassador and Consul Generals, press interviews, as well as seminars and workshops. We will conduct such public education efforts largely in partnership with Italian authorities and Italian IPR organizations, as we believe this approach makes sense politically and financially (i.e., the costs of such activities would be shared).

[1](#)5. One idea is to engage local authorities and mayors, in particular. Mayors play a key role in public opinion making, as they are close to the people and are the most respected and trusted politicians. We envision Embassy and Consulates approaching mayors (with the Ambassador possibly writing the most important mayors in advance to highlight our proposal) to develop joint public education strategies. As this project will require a country wide-effort, we would like to obtain USG agencies' endorsement beforehand. (ConGen

Florence, which proposed this project, has already approached the Florence mayor and has found him eager to collaborate. He is also currently chairing the national mayors' association, ANCI. ANCI is also interested in possibly collaborating with us on public IPR education efforts.)

¶6. We would suggest the following talking points in our meetings with mayors:

- Italy and the United States have a longstanding tradition of collaboration in protecting Intellectual Property Rights.
- Protecting IP is in Italy's interest, as much as it is in the interest of the United States.
- Western societies find themselves in a post-industrial era where ideas and innovation will be key for continued economic growth.
- Protecting our innovations and ideas, through copyrights, patents or trademarks, thus becomes essential for our societies, our democracies, and our people.
- We also both understand that piracy and counterfeiting nourish organized crime and penalize the legal economy, with implications for tax collection and job losses.
- Italy has excellent IPR laws on the books. Enforcement agencies and the magistracy are making an effort to enforce these laws.
- However, the Italian public does not perceive IPR theft as a crime because they do not see the dark backstage of piracy -- organized crime, trafficking of human beings, tax evasion, job losses.

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- All levels of Italian government should make Italian citizens aware that IPR theft is not a simple petty offence and that protecting IPR is essential also to protect the ideas of Italian citizens and businesses.
- While we are working with central authorities, we also invite mayors, who are the closest to the people, to take on a key role in promoting this important cultural awareness.
- We would like to share our ideas with you and possibly join forces in this challenge, so important to our economies and our cultures.

End suggested talking points.

¶7. Action requested: Post requests that Washington agencies endorse our plan to engage mayors and approve the above talking points. As we would like to move forward as soon as possible, post would appreciate a prompt response. End action requested.

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